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                           UNITED STATES DISTRICT COURT
                        NORTHERN DISTRICT OF CALIFORNIA
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                                  SAN JOSE DIVISION
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    ANGEL FRALEY; PAUL WANG; SUSAN
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    MAINZER; JAMES H DUVAL, a minor, by and ) Case No. CV 11-01726 LHK
    through JAMES DUVAL, as Guardian ad Litem; )
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    and WILLIAM TAIT, a minor, by and through
                                               ) DECLARATION OF STEVEN R.
    RUSSELL TAIT, as Guardian ad Litem;
                                               ) WEINMANN IN SUPPORT OF
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    individually and on behalf of all others similarly ) PLAINTIFFS' MOTION FOR
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    situated:
                                               ) PROTECTIVE ORDER
                  Plaintiff,
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                                               ) Hearing Date: February 21, 2012
                                               ) Time: 10:00 a.m.
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                                               ) Courtroom: 5
    FACEBOOK, INC., a corporation and DOES 1 to ) Judge: Hon. Paul S. Grewal
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    100, inclusive
                                               ) Trial Date: December 3, 2012
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                  Defendants.
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    Declaration of Steven R. Weinmann in Support of Motion for Protective Order –
    Case# CV 11-01726 LHK
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I, Steven R. Weinmann, hereby state and declare:

- 1. I am an attorney licensed to practice before all the courts of the State of California and I am admitted to practice before this Court. I am an attorney for Plaintiffs in this action. I have personal knowledge of the facts stated in this declaration, and if called upon to testify, could and would competently testify thereto. I make this Declaration in support of Plaintiffs' Motion for Protective Order.
- Plaintiffs filed the Complaint giving rise to this action on March 11, 2011. Plaintiffs
 subsequently filed their First Amended Complaint on 18, 2011. A Second Amended
 Complaint, which is presently the operative complaint in this case, was filed on June
 6, 2011.
- 3. At the time the original Complaint was filed, in March 2011, the plaintiff class was represented by five named class representatives: Angel Fraley; Paul Wang; Susan Mainzer; James H Duval, a minor, by and through James Duval, as Guardian ad Litem; and William Tait, a minor, by and through Russell Tait, as Guardian ad Litem.
- 4. Defendant has now taken the depositions of Susan Mainzer, James Duval, and William Tait. On February 7, 1012, our office received from Defendant a copy of the Notice of Deposition of Angel Fraley. The Notice anticipates the taking of Ms. Fraley's deposition in Seattle, Washington on February 14, 2012.
- 5. To date, Defendants have neither deposed nor scheduled the deposition of Paul Wang. Mr. Wang has indicated to class counsel that he no longer wishes to serve as a named class representative.

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- 6. On February 9, 2012, class counsel met and conferred with Defendant regarding Ms. Fraley's dismissal and deposition. Class counsel requested Defendant stipulate to allow Plaintiffs to dismiss both Angel Fraley and Paul Wang as named class representatives. Defendant refused stipulate unless class counsel produced Ms. Fraley for deposition. Ms. Fraley stated to class counsel that one of the reasons for her request to be dismissed as a class representative is her desire to avoid the embarrassment, annoyance, and invasion of privacy associated wither her deposition. Therefore, class counsel did not agree to Defendant's condition.
- Due to Defendant's refusal to stipulate to allow Plaintiffs to dismiss Ms. Fraley and 7. Mr. Wang as named class representatives, Plaintiffs will submit a Motion to Withdraw Class Representatives under Rule 41 to dismiss Angel Fraley and Paul Wang as class representatives concurrent with the present motion. Plaintiffs have communicated to Defendant that Plaintiffs will not offer Ms. Fraley or Mr. Wang as class representatives in the motion for class certification.

I declare under the penalty of perjury and under the laws of the State of California that the foregoing is true and correct, and that if called upon to testify, I could verify the accuracy of the same. This document was executed on February 13, 2012 in San Francisco, California.

Steven R. Weinmann

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Declaration of Steven R. Weinmann in Support of Motion for Protective Order – Case# CV 11-01726 LHK